

REMARKS

Claims 1-30 are pending in this application.

Claims 21, 22 and 27 have been rejected under 35 USC §112 2nd paragraph for use of the phrase "such as" in dependent claim 21.

Claims 1, 19 and 25 stand rejected under the judicially created doctrine of obviousness type double patenting over claims 1-22 of U.S. Patent No. 6,661,343.

Claims 19, 20, 23 and 24 stand rejected under 35 USC § 103(a) as being unpatentable over the combination of Williams 764, Lyons et al. 209 and VonBargen 273.

A request for a three month extension of time, and the corresponding fee therefor accompany this amendment and response.

Also accompanying this amendment and response is a Terminal Disclaimer in respect to U.S. Patent No. 6,661,343.

Section 112 Rejection

It is respectfully submitted that the amendment to claim 21, and the accompanying addition of new dependent claim 31, overcomes the Section 112 paragraph 2 rejection.

Double Patenting Rejection

It is respectfully submitted that the rejection of claims 1, 9 and 25 under the judicially created doctrine of obviousness type double patenting is overcome by the accompanying Terminal Disclaimer.

Section 103 Rejection

The Examiner proposes to combine the teachings of three references to arrive at the system defined by claim 19. It is respectfully submitted that there is no motivation to combine the teaching of these references in the manner suggested by the Examiner. Indeed, the Examiner has not pointed to any motivation to combine, or any logical reason for doing so. The Examiner is requested to withdraw this rejection for this reason alone. If the Examiner persists in his rejection of claims 19, 20, 23 and 24, then he is respectfully requested to provide his detailed reasons relating to motivation to combine, and in such event, any further Office Action should be non-final.

DOCKET NO.: BNWL-0006
Application No.: 10/613,699
Office Action Dated: July 28, 2004

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In addition, Applicant respectfully submits that there is no reasonable combination of Williams, Lyons et al. and VonBargen that would lead one skilled in the art to the invention defined by these claims. The Examiner points out that Lyons et al. teaches a motion detector, and that VonBargen teaches a light source having a shutter. Even assuming that these characterizations of Lyons et al. and VonBargen are correct, it is not understood how the teaching of a light source with a shutter would lead one skilled in the art to place the shutter in front of a motion detector (which is a receiver), much less do so in the manner recited by the claim, i.e., together with a housing that has a circuit that closes the shutter in response to receipt of an authorization signal. If the Examiner persists in his rejection of the claims over the prior art, he is respectfully requested to point out where these teachings exist in the prior art, and where the prior art suggests combining them in the claimed manner.

Applicant need not address the Examiner's other characterizations of the prior art in view of the above, and does not concede that the Examiner's characterizations are correct.

Claims 20, 23 and 24 depend from claim 19 and define additional patentable subject matter over claim 19. Applicant does not agree with the Examiner's rejection of these claims, but need not address his reasons therefore in view of the foregoing.

In view of the foregoing, reconsideration of the present Office Action and an early Notice of Allowance are respectfully requested.

Date: January 28, 2005



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